

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FIREMAN'S FUND  
INSURANCE COMPANY,  
a/s/o Thirty Four Lime Street Trust, et al.  
Plaintiff,

v.

CIVIL ACTION No. 05-30089-KPN

C.H. NEWTON BUILDERS, INC.,  
and  
ALAIRE PLUMBING & HEATING,  
Defendants.

C.H. NEWTON CONTRACTOR, WHOSE CORRECT NAME IS C. H.  
NEWTON BUILDERS, INC.'S, ANSWER TO WILLIAM ALARIE D/B/A  
ALARIE PLUMBING & HEATING'S CROSSCLAIM

COUNT I

The Defendant-in- Crossclaim denies the allegations contained in this Paragraph.

Wherefore, the Defendant-in-Crossclaim states that the Cross Claim should be dismissed and the Crossclaimant take nothing and the Defendant-in-Crossclaim be awarded its costs and attorneys' fees.

COUNT II

The Defendant-in- Crossclaim denies the allegations contained in this Paragraph.

Wherefore, the Defendant-in-Crossclaim states that the Cross Claim should be dismissed and the Crossclaimant take nothing and the Defendant-in-Crossclaim be awarded its costs and attorneys' fees.

AFFIRMATIVE DEFENSES

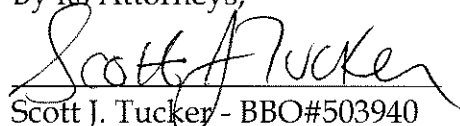
First Affirmative Defense

And answering further, the Defendant-in-Crossclaim states that the Crossclaim fails to state a claim upon which relief can be granted and should be dismissed.

JURY CLAIM

The Defendant-in-Crossclaim demands a trial by jury as to all allegations set forth in the Crossclaim, this Answer and any further responsive pleadings.

The Defendant-in-Crossclaim,  
C. H. Newton Builders, Inc.,  
By its Attorneys,

  
Scott J. Tucker - BBO#503940  
Tucker, Heifetz & Saltzman, LLP  
Three School Street  
Boston, Massachusetts 02108  
(617) 557-9696

I hereby certify that the foregoing is a true and correct copy of the foregoing as submitted in accordance with the provisions of Fed. R. Civ. P. 3.  
5-31-05 - SJT